



Department of Corrections  
**ADMINISTRATIVE BULLETIN**

**Subject: BAN OF MATERIALS  
DISPLAYING FRONTAL NUDITY**

**Number:**

**02/04**

**Date Issued:**

**July 10, 2002**

**Cancelled Effective:**

The purpose of this Administrative Bulletin (AB) is to announce a clarification of policy regarding allowable materials that inmates may possess or receive via mail. This policy clarification is supported by and in compliance with California Code of Regulations Title 15, Sections 3001, 3006(c), 3190, 3191, and the **Mauro v. Arpaio** case in which the Ninth Circuit Court of Appeals upheld correctional policy prohibiting prisoners from possessing sexually explicit materials, defined as photographs, drawings, magazines, and pictorials showing frontal nudity.

The Ninth Circuit concluded that the policy was rationally related to the jail's legitimate penological objectives of maintaining security, rehabilitating inmates, reducing sexual harassment of female officers, and avoiding a hostile work environment.

**Policy**

Effective 60 days from the date of this bulletin, inmates will be prohibited from possessing or receiving **materials that show frontal nudity of either gender as described herein. Prohibited materials include personal photographs, drawings, magazines, and/or pictorials. Frontal nudity includes either the exposed female breast(s) and/or the genitalia of either gender.**

Following the 60-day period, any personal photographs, drawings, magazines, and/or pictorials displaying frontal nudity as described that are received by the institution, in the possession of an inmate or found during routine cell searches, will be treated as contraband. Contraband items will be handled by either disposing of the item or mailing at the expense of the inmate.

This policy along with the Ninth Circuit's decision only restricts materials that show frontal nudity as described. Staff should be advised the above stated ban does not include departmentally approved educational/medical/program materials, sexually explicit letters, articles, and photographs of clothed person(s), and that inmates will still be allowed to receive these sexually explicit communications.

Please inform all concerned persons of this AB, which shall remain in effect until incorporated into Department Operations Manual Chapter 5, Article 41, MAIL. Direct any inquiries regarding this bulletin to Tim Rougeux, Chief, Institution Services Unit, at 916-324-8354.

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